

MEMORANDUM ENDORSED

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April 12, 2022

By ECF To:

Honorable Gregory H. Woods, U.S.D.J
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Kosmidis v. Port Authority of NY and NJ, et al., 18 Civ. 8413 (GHW) (RWL)

Your Honor:

I am counsel for Plaintiff in the above-captioned matter, and write - jointly with opposing counsel, Cheryl Alterman, Esq. - to respectfully request that the Court adjourn the telephonic status conference presently scheduled (as per Your Honor's Order dated April 11, 2022, Docket # 121) for April 21, 2022 at 4 p.m. There have been no prior adjournments of this conference. The reason for the request is that I will be on an airplane at the time the telephone conference is presently scheduled for, and Ms. Alterman is scheduled to begin a trial on April 21st.

Counsel have conferred, and we are both presently available to participate in the telephonic status conference any time on May 2, 3 (afternoon only), 16 (morning only), or 17 (afternoon only).¹

Additionally, the Court requested that Defense counsel indicate its position with respect to Plaintiff's motion to substitute the Plaintiff in light of the passing of Constantino Kosmidis. (Docket # 121). Defendants do not have any objection to Plaintiff's motion and will not be filing opposition papers.

¹ Both counsel are unavailable prior to these dates due to travel for the undersigned from April 15-21 and then again from April 26-28, and Ms. Alterman's trial (and Ms. Alterman has another trial scheduled to begin on May 4th as well).

The parties thank the Court for its consideration in this matter.

Respectfully submitted,

/S/

Jeffrey A. Rothman
Attorney for Plaintiff

/S/

Cheryl Alterman
Attorney for Defendants


Application granted. The status conference currently scheduled for April 21, 2022 is adjourned to **May 3, 2022 at 2:00 p.m.** The conference will take place by telephone. The parties are directed to the Court's Emergency Rules in Light of COVID-19, which are available on the Court's website, for the dial-in number and other relevant instructions. The parties are specifically directed to comply with Rule 2(C) of the Court's Emergency Rules.

In light of Defendants' consent to Plaintiff's motion, the Court grants the motion by Ms. Kosmidis, as executrix of the estate of Constantino Kosmidis, to be substituted as the plaintiff in this action.

The Clerk of Court is directed to terminate the motions pending at Dkt. Nos. 118 and 122 and to substitute Athina Kosmidis, as executrix of the estate of Constantino Kosmidis, as the plaintiff in this action.

SO ORDERED.

Dated: April 12, 2022
New York, New York



GREGORY H. WOODS
United States District Judge